THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.18468 OF 2006

DATED: 25TH SEPTEMBER, 2006.

Between :

Kalluru Harish Babu .. Petitioner

And

1. The Commissioner,
   Prohibition & Excise Department,
   & 2 others. … Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.18468 OF 2006

ORDER :

This writ petition is filed alleging that the 3rd respondent made an application seeking permission to shift his licensed premises from Gangannapalem village to Nellipudi village and such shifting is in violation of Rules 27 and 29 of Andhra Pradesh Excise (Lease of Right of Selling by Shop and Conditions of Licence) Rules, 2005.

The petitioner states that he made a representation before the 1st respondent on 26-8-2006 raising various objections with regard to the proposed shifting of the licensed premises from Gangannapalem village to Nellipudi village, however the 1st respondent failed to consider the same.

It is stated by the learned Counsel for the petitioner that so far the permission has not been granted by the 1st respondent and the 3rd respondent is operating his shop only at Gangannapalem village.

Despite service of notice, none appeared for the 3rd respondent.

In the circumstances, without expressing any opinion on merits, the writ petition is disposed of with a direction to the 1st respondent – Commissioner of Prohibition & Excise – to consider the objections raised by the petitioner in his representation dated 26-8-2006 and pass appropriate orders in accordance with law before passing any orders

on the request made by the 3rd respondent for shifting of the licensed premises. Needless to mention that the 3rd respondent shall be afforded an opportunity to putforth his version as to the objections raised by the petitioner in his representation.

Writ Petition is accordingly disposed of. No order as to costs.

G. ROHINI, J.

Dt. 25-9-2006
gbs
Note: - CC in 3 days.